

**REMARKS**

Upon entry of the foregoing amendments, claims 1-20 remain pending in the present application. Reconsideration of all claims is respectfully requested.

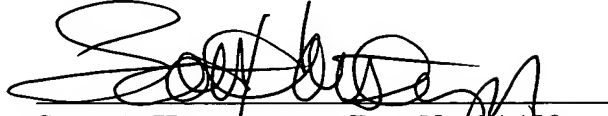
Claims 1-17 were rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-32 of U.S. Patent No. 6,618,668. In Applicant's previous response, Applicants filed a Terminal Disclaimer in order to overcome the double patenting rejection. Applicants have submitted the terminal disclaimer solely to advance prosecution of the application, without conceding that the double patenting rejection is properly based. In filing the terminal disclaimer, Applicants rely upon the rulings of the Federal Circuit that the filing of such a terminal disclaimer does not act as an admission, acquiescence or estoppel on the merits of the obviousness issue. See, e.g., *Quad Environmental Tech v. Union Sanitary Dist.*, 946 F.2d 870, 874-875 (Fed. Cir. 1991); and *Ortho Pharmaceutical Corp. v. Smith*, 959 F.2d 936, 941-942 (Fed. Cir. 1992).

Claims 7-17 are rejected under 35 U.S.C. §1-3(e) as being anticipated by Moore. This rejection is rendered moot by the amendments made herein. Essentially, Applicants have amended claim 7 so that it generally corresponds to claim 1, but is a method claim as opposed to a system claim in the case of claim 1. Furthermore, claim 7 should be construed independently of claim 1. Method claim is allowable for at least the same reasons as claim 1.

Applicants wish to further note that the proper inventorship entity in connection with the present application, as well as the parent application, is, as co-inventors, Martin Kelly Jones and David Laird. Applicants have filed a Petition to Correct the Inventorship of the parent application Ser. No. 09/558,508, filed April 26, 2000 (now issued as Patent No. 6,618,668). To date, to the knowledge of Applicants, the Petition has not yet been considered and granted. A copy of the Petition and related transmittals is appended hereto as Exhibit "A". Applicants expect the Petition to be granted, and accordingly, at such time, the inventorship entered in connection with the present application should reflect such change. Applicants request that the Examiner advise Applicants of any other requirements in connection with such change.

Allowance of all pending claims 1-20 are respectfully requested.

Respectfully submitted,



Scott A. Horstemeyer, Reg. No. 34,183

**THOMAS, KAYDEN,**  
**HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Laird	)	
	)	
Serial No.: 09/558,508	)	Art. Unit: 3661
	)	
Filed: April 26, 2000	)	Examiner: G. Chin
	)	
For: System and Method for Obtaining	)	Docket No.: 50119-1090
Vehicle Schedule Information in an	)	
Advance Notification System	)	

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Melissa Simmons  
Signature

PETITION FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. 1.48

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.48 (a), Applicant respectfully requests correction of inventorship of the above-mentioned application. In this regard, Applicant respectfully asserts that the inventive entity set forth in the executed declaration of record has improperly identified Applicant as the sole inventor. Applicant respectfully asserts that this error arose without any deceptive intention on the part of Applicant or on the part of those persons who are to be added as inventors.

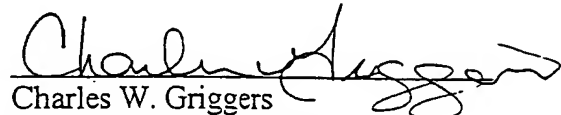
The following documents are provided herein:

- (1) statements from each person being added as an inventor, indicating that the error in inventorship occurred without deceptive intention;

- (2) a substitute declaration by the actual inventors as required by Section 1.63;
- (3) the fee set forth in Section 1.17(i); and
- (4) written consent of the assignee.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
Charles W. Griggers  
Registration No. 47, 283

THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Laird )

Serial No.: 09/558,508 )

Art. Unit: 3661

Filed: April 26, 2000 )

Examiner: G. Chin

For: System and Method for Obtaining )  
Schedule Information in an Advance )  
Notification System )

Docket No.: 50119-1090

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Gloria Simmons  
Signature

STATEMENT OF INVENTOR

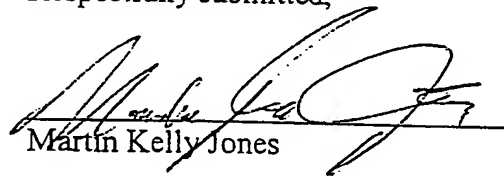
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Martin Kelly Jones, am a co-inventor of at least a portion of the subject matter disclosed and claimed in the above-mentioned application. It is my understanding that I am not currently named as an inventor of the above-mentioned patent application. Failure to include me as an inventor was an error that occurred without deceptive intention on my part. I respectfully request that my name be added to the inventors of the above-mentioned application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Martin Kelly Jones



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Laird

Serial No.: 09/558,508

Filed: April 26, 2000

For: System and Method for Obtaining  
Schedule Information in an Advance  
Notification System

Art. Unit: 3661

Examiner: G. Chin

Docket No.: 50119-1090

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D.C. 20231, on 03.31.03

Glaire Simon  
Signature

WRITTEN CONSENT OF ASSIGNEE UNDER 37 C.F.R. 1.48(a)(4)

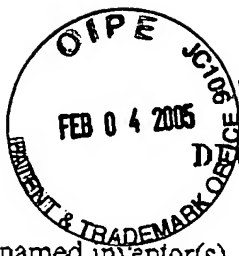
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Martin Kelly Jones, have the authority to act on behalf of ArrivalStar, Inc.,  
assignee of the above-mentioned patent application. I hereby consent, on behalf of the  
above-mentioned assignee, to the requested inventorship correction. More specifically,  
consent to correct inventorship of the above-mentioned application by adding Martin Kelly  
Jones as an inventor is hereby granted.

Respectfully submitted,

Martin Kelly Jones  
Martin Kelly Jones, Chief Executive Officer



## DECLARATION FOR PATENT APPLICATION

Attorney Docket No: **50119-1090**

As the below named inventor(s), I/we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR OBTAINING VEHICLE SCHEDULE INFORMATION IN AN ADVANCE NOTIFICATION SYSTEM**, the specification of which:

- ☐ is attached hereto.  
☒ was filed on 4/26/00 as Application Serial No. 09/558,508.  
☐ was filed on \_\_\_\_\_ under U.S. Express Mail No. \_\_\_\_\_.  
☐ is set forth in PCT International Application No. \_\_\_\_\_;  
filed on \_\_\_\_\_ and as amended Under PCT Article 19 on \_\_\_\_\_ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/we hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: **NOT APPLICABLE.**

I/we hereby appoint all attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

**24504**



Please address all telephone calls, in the first instance, to **Scott A. Horstemeyer** at telephone number: (770) 933-9500.

Address all correspondence to:

**Scott A. Horstemeyer  
THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.  
100 Galleria Parkway, N.W., Suite 1750  
Atlanta, Georgia 30339-5948**



I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: David E. LairdResidence: 9 Timberland Way, Fort Walton Beach, FL 32548Citizenship: USAPost Office Address: 9 Timberland Way, Fort Walton Beach, FL 32548Inventor's Signature: Date: 2/10/2003Full Name of Second Inventor: Martin Kelly JonesResidence: 1028 Vista Del Mar Drive, Delray Beach, FL 33483Citizenship: USAPost Office Address: 219 NE First Avenue, Delray Beach, FL 33444Inventor's Signature: Date: 2/14/2003



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Laird *et al.*

Patent No.: 6,618,668

Serial No.: 09/558,508

Issued: September 9, 2003

Filed: April 26, 2000

For: System and Method for Obtaining  
Vehicle Schedule Information in an  
Advance Notification System

Art. Unit: 3661

Examiner: G. Chin

Docket No.: 50119-1090

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on

June 1, 2004  
Julie Campbell  
Signature - Julie Campbell

RESUBMISSION OF PETITION TO CORRECT INVENTORSHIP

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

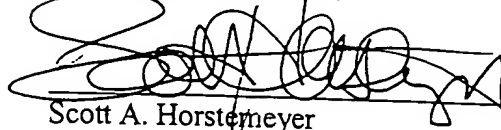
Applicant filed a Petition to Correct Inventorship under 37 C.F.R. 1.48 on March 31, 2003 in the above-identified patent, and the U.S. Patent and Trademark Office (USPTO) received it on April 7, 2003, as shown in the File History on the USPTO website. Applicant has never received communication from the USPTO either accepting or denying the Petition.

Therefore, after consultation with the USPTO, Applicant is resubmitting a copy of the Petition to Correct Inventorship and requests that the USPTO act upon the Petition.

If there are any insufficiencies in fees regarding this Petition, the Commissioner is authorized to charge deposit account 20-0778.

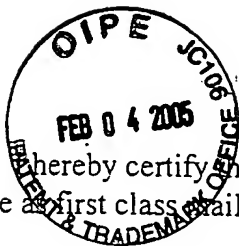
If the Examiner has any questions regarding this Petition, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott A. Horstemeyer", written over a horizontal line.

Scott A. Horstemeyer  
Registration No. 34,183

**THOMAS, KAYDEN,**  
**HORSTEMEYER & RISLEY, L.L.P.**  
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100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
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## CERTIFICATE OF MAILING

hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

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Commissioner for Patents  
Washington, D.C. 20231

on 03.31.03.

Gloria Simmons  
Gloria Simmons

In Re Application of:

Laird

Serial No.: 09/558,508

Group Art Unit: 3661

Filed: April 26, 2000

Examiner: G. Chin

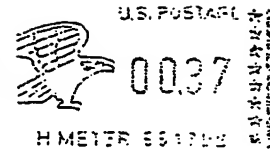
Docket No.: 050119-1090

For: **SYSTEM AND METHOD FOR OBTAINING VEHICLE SCHEDULE  
INFORMATION IN AN ADVANCE NOTIFICATION SYSTEM**

The following is a list of documents enclosed:

- Return Postcard
- Petition for Correction of Inventorship Under 37 C.F.R. 1.48
- Statement of Inventor
- Written Consent of Assignee Under 37 C.F.R. 1.48(a)(4)
- Declaration for Patent Application
- Credit Card Authorization Form in the amount of \$130.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway N.W.  
Suite 1750  
Atlanta, GA 30339

Serial No.: 09/558,508	Filed: April 26, 2000
Patent No.:	Issued:
Applicant: Laird	
Title: SYSTEM AND METHOD FOR OBTAINING VEHICLE SCHEDULE INFORMATION IN AN ADVANCE NOTIFICATION SYSTEM	
Docket No.: 050119-1090	C/M Date: 03.31.03
EM No.:	Due Date:

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- ☐ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☒ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Prior Art References ( )
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☐ Amendment Transmittal Page
- ☐ Amendment:
  - ☐ Non-Final ☐ Final
  - ☐ After Not. Allow ☐ Unentered
- ☐ Petition for Extension of Time to:
- ☐ Claim of Priority & Sub. Cert. Copy of Foreign Application
- ☒ Other: Petition for Correction of Inventorship; Statement of Inventor; and Written Consent of Assignee

**USPTO STAMP**

- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
- ☐ Notice of Appeal
- ☐ Appeal Brief
- ☐ Request for Refund
- ☐ Request for Correction F/R
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- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/ NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
  - ☐ 3.5 ☐ 7.5 ☐ 11.5
  - ☐ in duplicate

Person Mailing: GFS

Responsible Atty: SAH/CWG

Serial No.:

Patent No.: 6,618,668

Applicant: Jones, et al.

Title: S+M for Obtaining Vehicle Schedule Information . . .

Filed:

Issued: 09/09/03

Docket No.: 050119-1090

C/M Date: 06/01/04

EM No.:

Due Date:

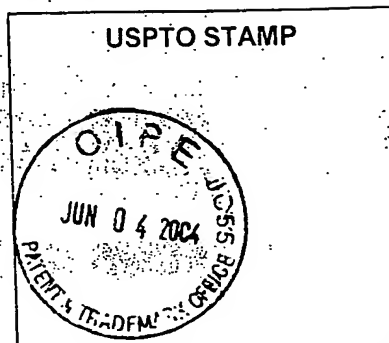
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- ☐ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ( )
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- ☐ Amendment: ☐ Restriction
- ☐ Non-Final ☐ Final
- ☐ After Not. Allow ☐ Unentered
- ☐ Response to Advisory Action
- ☐ Petition for EOT to:
- ☐ Claim of Priority & Sub. Cert. Copy  
of Foreign Application
- ☒ Other: Resubmission of Petition to Correct Inventorship



- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
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- ☐ Maintenance Fee Transmittal
- ☐ 3.5 ☐ 7.5 ☐ 11.5
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Person Mailing: JLC

Responsible Atty: SAH



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